COURT NO. 2

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 5509 (S/S) of 2001

(Old Case No. 13853 of 1997)

1. Bhuvan Chandra Pandey, S/o Sri N.D. Pandey, Head Master, Government Higher Secondary School, Haripur Jaman Singh, Haldwani, Nainital.
2. Shyam Dutt Joshi, S/o Sri J.K. Joshi, Head Master, Government Higher Secondary School, Daraoo, District Udham Singh Nagar.
3. Sri Dan Singh Rautela, Head Master, S/o Sri Teg Singh Rautela, Government Higher Secondary School, Bagwala, District Udham Singh Nagar.
4. Devi Dutt Tewari, S/o Sri Krishna Tiwari, Head Master, Government Higher Secondary School, Fauzimath Kotai, Distt. Udham Singh Nagar.
5. Brij Mohan Ram, Head Master, S/o Sri Kashi Ram, Government Higher Secondary School, Kanakpur, District Udham Singh Nagar.

…….Petitioners

Versus

1. State of U.P. through its Education Secretary.
2. Director, Education (Secondary of U.P., Allahabad).

……..Respondents

None appeared on behalf of the petitioners
Learned Standing counsel for the respondents

Dated: 26.11.2007

Hon'ble P.C. Verma, J.

By means of this writ petition, the petitioners claim seniority over the persons appointed regularly in accordance with the Rules while the petitioners were initially appointed on ad-hoc basis and their services were regularized under the Ad-hoc Appointment Regularization Rules. Rule 7 of the Ad-hoc Appointment Regularization Rules either within the purview of the Public Service Commission or outside the purview of the

Public Service Commission provides that the seniority of the persons can be reckoned from the date of order of regularization. It is not disputed that the petitioners have been regularized either on 23.09.1995 or 29.12.1996 and their seniority have been reckoned from the date of their regularization as per provisions contained under Rule 7 of the Ad-hoc Appointment Regularization Rules.

2. Thus the fixation of seniority of the petitioners does not suffer from any illegality rather the same has been done as per Rule 7 of the Ad-hoc Appointment Regularization Rules.

3. The petition is devoid of merit and is dismissed accordingly. No order as to costs.

(P.C. Verma, J.)

26.11.2007
RBS